2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Wanted: Soon For: Marlin Schneider (608) 266-0215 This file may be shown to any legislator: NO May Contact:					Received By: malaigm Identical to LRB:											
									By/Representing: Judy Frydenlund Drafter: malaigm Addl. Drafters:							
					Subject: Employ Priv - miscellaneous							Extra Copies:				
					Submit	via email: NO		,								
					Pre To	pic:										
No specific pre topic given																
Topic:																
Covena	nts not to comp	ete; unreasonab	le per se													
Instruc	ctions:															
See Att	achedredraft A	AB 408 as budge	et amendme	ent.												
Draftir	ng History:						••									
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required									
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Employ Priv - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Covenants not to compete; unreasonable per se

Instructions:

See Attached--redraft AB 408 as budget amendment.

Drafting History:

Vers.

FE Sent For:

Drafted

Reviewed

Typed Pr

Submitted

Jacketed

Required

/?

malaigm

<END>

Sum

Miller, Steve

From:

Frydenlund, Judy

Sent:

Wednesday, March 13, 2002 8:50 AM

To:

Miller, Steve

Subject:

Budget Amendments

Steve, I understand that individual budget amendments are being made directly through the LRB (via Schooff's office). Sorry I did not get these to you on Friday but we were told "everything" was going through Schooff. Anyway Marlin has 10 amendments as follows:

- 1) Assembly Bill 408—relating to covenants not to compete with an employer or principal after the termination of the employment or agency.
 - 2) Assembly Bill 409--relating to discharge or discrimination against an employee for disclosing the employee's eempensation.
- 3) Assembly Bill 531--relating to prohibiting certain computer postings that invite harassment or obscene, lewd, or profance communication, and providing a penalty.
- 4) Assembly Bit 568--relating to displaying the U.S. flag at the workplace.
- 5) Assembly 692-relating to return of security deposit to tenant.
- Assembly Bill 750--relating to gifts given a effered by prescription drug manufacturers and distributors to encourage practitioners to prescribe certain drugs and providing a penalty.
- 7) Increase the surtax on income tax by 10%.
- 8) Increase the sales tax by 1%.
- 9) Amend 59.69. 60.61, and 62.23 to require notification to abutting landowners and those within a one mile radius thereof of potential zoning changes to accommodate a slaughterhouse.
- 10) All the recognition of activie military and veterans who have denistry licensure in other states. Exempt them from the "practical" exam.

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Date (time) needed

Soen

LRB b 2557/1

BUDGET AMENDMENT

NOT FOR COMPILE

GM : 112 :

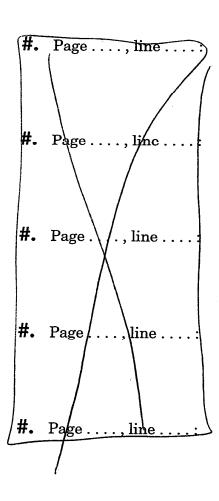
See form AMENDMENTS — COMPONENTS & ITEMS.

January 2002 SPECIAL SESSION AMENDMENT TO ASSEMBLY SUBSTITUTE AMENDMENT 1 TO 2001 ASSEMBLY BILL 1

At the locations indicated, amend the substitute amendment as follows:

#. Pagel. S.t., line ???: after that line insut:





2001 ASSEMBLY BILL 408

May 18, 2001 – Introduced by Representatives Schneider and Sinicki. Referred to Committee on Labor and Workforce Development.

AN ACT to renumber and amend 103.465; and to create 103.465 (1) of the

statutes; relating to: covenants not to compete with an employer or principal

after the termination of the employment or agency.

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Analysis by the Legislative Reference Bureau

Under current law, a covenant by an assistant, servant, or agent not to compete with his or her employer or principal during the term of the employment or agency, or after the termination of the employment or agency, within a specified territory and during a specified time is lawful and enforceable only if the restrictions imposed are reasonably necessary for the protection of the employer or principal. Such a covenant that imposes an unreasonable restraint of trade, however, is illegal, void, and unenforceable even as to any part of the covenant that would be a reasonable restraint of trade.

This bill declares that a covenant by an assistant, servant, or agent not to compete with his or her employer *after* the termination of the employment or agency is *per se* an unreasonable restraint of trade and is illegal, void, and unenforceable even as to any part of the covenant that would be a reasonable restraint of trade.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 408

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SECTION 1. 103.465 of the statutes is renumbered 103.465 (2) and amended to read:

assistant, servant, or agent not to compete with his or her employer or principal during the term of the employment or agency, or after the termination of that employment or agency, within a specified territory and during a specified time is lawful and enforceable only if the restrictions imposed are reasonably necessary for the protection of the employer or principal. Any covenant, described in this subsection, imposing not to compete with an employer or principal during the term of the employment or agency that imposes an unreasonable restraint of trade is illegal, void, and unenforceable even as to any part of the covenant or performance that would be a reasonable restraint of trade.

Section **2.** 103.465 (1) of the statutes is created to read:

103.465 (1) COVENANTS NOT TO COMPETE AFTER TERMINATION OF EMPLOYMENT. A covenant by an assistant, servant, or agent not to compete with his or her employer or principal after the termination of the employment or agency imposes an unreasonable restraint of trade and is illegal, void, and unenforceable even as to any part of the covenant or performance that would be a reasonable restraint of trade.

SECTION 3. Initial applicability.

(1) COVENANTS NOT TO COMPETE AFTER TERMINATION OF EMPLOYMENT. This are first

to an assistant, servant, or agent who, on the day before the effective date of this subsection, is bound by a covenant not to compete with his or her employer or principal after the termination of the employment or agency on the day on which the

covenant expires or is extended, modified, or renewed, whichever occurs first.

(END)

Frage 438, line 8: after that line insert;

and the cration

(1) of the 17 nYutes

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